AMENDMENTS TO THE CLAIMS

Please amend the claims as reflected in the following listing of claims. *This listing of claims will replace all prior versions and listings of claims in the application.*

Listing of Claims:

1-8. **Cancelled**

9. **(Original)** A semiconductor device comprising:

a first mirror;

an active layer situated on said first mirror;

an oxidizable layer situated on said active layer;

a second mirror situated on said oxidizable layer; and

wherein said oxidizable layer comprises a material with oxygen.

10. **(Original)** The device of claim 9, wherein said first mirror has at least one trench from an outside surface of said first mirror into said oxidizable layer.

11. **(Currently Amended)** ~~The device of claim 10, wherein:~~ A semiconductor device comprising:

a first mirror;

an active layer situated on said first mirror;

an oxidizable layer situated on said active layer, the oxidizable layer comprising a material with oxygen;

a second mirror situated on said oxidizable layer; and

wherein said first mirror has at least one trench from an outside surface of said first mirror into said oxidizable layer, and wherein a fluid having oxygen is conveyed into the at least one trench to oxidize a first portion of said oxidizable layer; and wherein ~~and~~ a second portion of said oxidizable layer is an aperture.

12. **(Original)** The device of claim 11, wherein the aperture is for guiding current.

13. **(Original)** The device of claim 12, wherein the semiconductor device is an InP based VCSEL.

14. **(Original)** The device of claim 13, wherein said oxidizable layer comprises InAlAs.

15. **(Cancelled)**

16. **(Currently Amended)** ~~The device of claim 15,~~ A semiconductor device comprising:

a first reflector stack;

an active region situated on said first reflector stack;

a second reflector stack situated on said active region; and

wherein said second reflector stack comprises at least one layer having a first portion oxidized with an oxidizing agent having a fluid with oxygen, and wherein the first oxidized portion of the at least one layer forms a perimeter around an aperture.

17. **(Original)** The device of claim 16, wherein the aperture is for guiding current.

18-20. **(Cancelled)**